

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

SHANNON GUTHRIE,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No.: 3:23-CV-02989-GCS
	)	
BOARD OF TRUSTEES FOR	)	
SOUTHERN ILLINOIS UNIVERSITY	)	
	)	
Defendant.	)	

**DEFENDANT BOARD OF TRUSTEES FOR SOUTHERN ILLINOIS UNIVERSITY’S  
MOTION FOR SUMMARY JUDGMENT**

COMES NOW Defendant Board of Trustees for Southern Illinois University (the “University”) and moves for summary judgment, stating as follows:

1. The sole remaining claim in this action is a failure-to-hire gender discrimination claim arising out of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e, *et seq.* (Doc. 44, Amd. Pet. ¶¶ 3, 41-48).

2. Plaintiff Shannon Guthrie (“Ms. Guthrie”) alleges that the University discriminated against her on the basis of sex when it appointed a male baseball coach to serve as an Interim Head Softball Coach after she interviewed for the role. In her view, her softball-specific coaching experience makes her better qualified for the position.

3. Ms. Guthrie cannot raise any direct or circumstantial evidence of sex discrimination, such as suggestive comments or inappropriate conduct during the University’s hiring process. Accordingly, her claim must be analyzed according to the burden-shifting framework developed by the Supreme Court in *McDonnell Douglas Corp. v. Green*, 411 U.S. 792 (1973).

4. Ms. Guthrie cannot establish all of the *prima facie* elements of her discrimination claim. In order to establish a *prima facie* case she must prove that she is better qualified than P.J. Finigan, the man who was selected for the position on an interim basis. However, she cannot prove

that she was more qualified than the male interim coach on the qualifications that mattered the most to the University at the time – team culture building and student-athlete relations. During the interview process, the Athletic Director and several members of the search committee had concerns about Ms. Guthrie’s coaching style and whether she could change the culture of the softball program. At the same time, Finigan was an existing employee who was known for excelling in those areas.

5. Assuming, *arguendo*, that the Court finds that Ms. Guthrie was more qualified because of her softball-specific background, the University’s desire to focus more on the student-athlete experience in the softball program is a legitimate, non-discriminatory reason to hire Mr. Finigan.

6. Finally, Ms. Guthrie cannot show that the University’s decision was a dishonest pretext to hide a discriminatory animus toward women. The University employed and sought to employ women in the Head Softball Coach position both before and after Ms. Guthrie’s application. A woman served as the Head Softball Coach at SIUE for decades. When the longstanding female coach retired, the University promoted another woman to take her place. When the University conducted a second external search in 2022, the University offered the Head Softball Coach position to a woman, the first choice during that search. Under these circumstances, it is abundantly clear that the University’s hiring decisions for the SIUE Head Softball Coach were not discriminatory on the basis of sex.

7. The University moves for summary judgment regarding this Title VII claim. The University contemporaneously submits a Brief and Statement of Facts in support of this Motion, and hereby incorporate them by reference as if fully stated here.

WHEREFORE Defendant Board of Trustees for Southern Illinois University respectfully requests that this Court issue an Order granting summary judgment in its favor and against the Plaintiff, dismissing this action with prejudice, and for such other relief as this Court deems just and appropriate under the circumstances.

Respectfully submitted,

**MICKES O'TOOLE, LLC**

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*Attorney for Defendants Board of Trustees  
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**CERTIFICATE OF SERVICE**

I hereby certify that on the 14th day of April, 2025, a true and correct copy of the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system.

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